

Filed By: Judge Jameson Lee  
Mail Stop Interference  
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Paper 27  
Filed: September 14, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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JONATHAN TIEN and DAVID R. MARBLE  
Junior Party  
(Patent 5,687,722)

v.

MOHAMED K. DIAB, ESMAIEL KIANI-AZRBAY JANY,  
IBRAHIM M. ELFADEL, REX. J. MCCARTHY,  
WALTER M. WEBER and ROBERT A. SMITH  
Senior Party  
(Application 09/195,791)

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Patent Interference No. 105,478 (JL)  
(Technology Center 3700)

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**Redeclaration -- Bd.R. 203(c)**

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2 In a telephone conference call held on September 12, 2006, (1) counsel for Diab indicated  
3 that Diab's request for interference had not asked to be accorded benefit to Application  
4 08/132,812, (2) counsel for Tien indicated that party Tien desired to file a motion to attack the  
5 benefit accorded Diab to Application 08/132,812, and (3) counsel for Diab stated that Diab  
6 would not oppose that motion of Tien. In light of such circumstances, this interference is herein  
7 re-declared to remove the benefit previously accorded Diab to Application 08/132,812. It is

Interference No. 105,478  
Tien v. Diab

**ORDERED** that this interference is herein re-declared as follows:

Count 1

### Claim 11 of Tien's Patent 5,687,722

or

### Claim 22 of Diab's Application 09/195,791

**The claims of the parties which correspond to Count 1:**

**Tien: Claims 1-28**

**Diab: Claims 15-26**

The claims of the parties which do not correspond either to Count 1 or Count 2:

Tien: None

Diab: None

The parties are accorded the following benefit for both Count 1:

Tien: Application 08/442,834, filed May 17, 1995

Diab: Application 08/859,837, filed May 16, 1997  
Application 08/320,154, filed October 7, 1994

/Jameson Lee /  
JAMESON LEE  
Administrative Patent Judge

Interference No. 105,478  
Tien v. Diab

cc Electronic Transmission

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**Desperтт, Sonja**

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